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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,812	03/31/2004	Yasuhito Suzuki	89277.0025	5298
26021	7590	10/05/2005	EXAMINER	
HOGAN & HARTSON L.L.P. 500 S. GRAND AVENUE SUITE 1900 LOS ANGELES, CA 90071-2611			GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/814,812	SUZUKI, YASUHITO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Davetta W. Goins	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1,4-6,9-11,14-16,19 and 20 is/are rejected.
- 7) Claim(s) 2,3,7,8,12,13,17 and 18 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 3/31/04.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 2, 3, 7, 8, 12, 13, 17, 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-6, 9-11, 14-16, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furuya (US Pat. 6,863,411 B2) in view of Hamilton et al. (US Pat. 6,516,678 B2).

In reference to claims 1, 4, 5, 11, 14, 15, 20, Furuya discloses the claimed dial plate and scale markings provided on the dial face, wherein each scale markings protrudes from a flat dial face of the dial plate, which is met by dial plate 30 having projections 40a engaged with clips 30a, and a light diffusion plate 50 (col. 4, lines 8-19; Figure 1). Furuya does not disclose the claimed markings provided with a slant face inclined relative to the flat dial face for reflecting external light. Hamilton discloses a diagnostic gauge 40 including an indicator insert 70 and pointer 76; the pointer 76 is preferably formed out of a malleable material such as aluminum or stainless

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steel and can be “bent” as desired or necessary so that the indicator insert 70 indicates a single range (col. 4, lines 1-8). Since Furuya and Hamilton disclose dial plates that include protruding markings, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of using pointers 76 that can be bent, with the system of Furuya, to provide a protruded marking that can easily reflect light and provide easy viewing of the display.

In reference to claims 6, 16, Furuya discloses the claimed ridgeline or the top face is inclined in a longitudinal direction of the scale markings, which is met by projection portions 40a (Figure 1).

In reference to claims 9, 10, 19, Furuya discloses the claimed flat dial face is formed to allow for passage of light from behind the dial plate and the scale markings are formed to block off light from behind the dial plate, which is met by the light source 102 is guided from the light guiding portion 103d and partially reflected by the slope 101d (col. 5, lines 46-52).

4. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Matumoto (US Pat. 6,302,551 B1) and Furuya (US Pat. 6,904,866 B2), which disclose dial plate indicators.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Davetta W. Goins  
Primary Examiner  
Art Unit 2632

  
D.W.G.  
October 1, 2005